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CENTRAL FAX CENTER**

MAY 31 2006

AMENDMENT FACSIMILE TRANSMISSION

DATE: May 31, 2006
FROM/ATTORNEY: Shelby J. Walker
FIRM: ZymoGenetics, Inc.
PAGES, INCLUDING COVERSHEET: 6
PHONE NUMBER: (206) 442-6558

TO EXAMINER: Mertz, P. M.
ART UNIT: 1646
SERIAL NUMBER: 10/789,251
FAX/TELECOPIER NUMBER: 571-273-0876

COMMENTS:

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PATENT APPLICATION

File No: 97-72C5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Darrell C. Conklin, Betty A. Haldeman
Serial No. : 10/789,251
Group Art Unit : 1646
Examiner : Mertz, P. M.
Filed : February 27, 2004
For : MAMMALIAN CYTOKINE-LIKE POLYPEPTIDE-10

CERTIFICATE OF TRANSMISSION OR MAILING UNDER 37 CFR 1.8(a)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


I hereby certify that the attached correspondence, comprising:

1. Terminal Disclaimer (2 pages)
2. Fee Transmittal (1 page; in duplicate)
3. Fax Cover Sheet

is being facsimile transmitted to the USPTO to facsimile number 571-273-0876 or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on May 31, 2006.



Linda Povinelli

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Date Submitted : May 31, 2006

FEE TRANSMITTAL

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Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Terminal Disclaimer for the above-mentioned application. The fee required is \$130.00 (37 CFR § 1.20(d), Fee Code 1814).

Please charge this and any required fee to ZymoGenetics, Inc., Deposit Account No. 26-0290. A duplicate of this sheet is enclosed.

Respectfully submitted,



Shelby J. Walker
Registration No. 45,192

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Applicants : Darrell C. Conklin, Betty A. Haldeman
Serial No. : 10/789,251
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Docket No.: : 97-72C5
Date : May 31, 2006

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Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

ZymoGenetics, Inc. ("Zymo"), a corporation of the State of Washington, having a place of business at 1201 Eastlake Avenue East, Seattle, WA 98102, declares that it is the assignee of the above-identified application. Documentary evidence of chain of title from the original owner to Zymo has been filed with and recorded by the United States Patent and Trademark Office at Reel 010137, Frame 0481. The evidentiary documents referred to in the instant Terminal Disclaimer have been reviewed by the undersigned and it is certified that, to the best of Zymo's knowledge and belief, title is in Zymo.

Zymo thereby disclaims the terminal part of any patent granted on the above-identified application, U.S. Application No. 10/789,251 (the " '251' ") which would extend beyond the expiration date of the patent granted on U.S. Patent Application No.10/789,129, filed on February 27, 2004, and hereby agrees that any patent so granted on the above-identified application '251 shall be enforceable only for and during such period as legal title thereto and to U.S. Patent Application No. 10/789,129, is commonly owned. This agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantee, its successors and assigns.

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Terminal Disclaimer
U.S. Patent Application No. 10/789,251

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Zymo does not disclaim any terminal part of any patent granted on the above-identified application '251 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent Application No. 10/789,129 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(a), has all claims cancelled by a re-examination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned represents that she is **Senior Vice President and General Counsel** and has the authority to execute this document on behalf of Zymo. The undersigned further declares that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing from this patent application.

Signed at Seattle, Washington, on 30 May, 2006.

A handwritten signature in black ink, appearing to read "Suzanne Shema", is written over a horizontal line.

Suzanne Shema

Senior Vice President and General Counsel